

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SCOTT BROWN,

Plaintiff,

v.

JASEN MILLER,

Defendant.

ORDER

16-cv-682-jdp

On October 14, 2016, I assessed plaintiff Scott Brown an initial partial payment of \$4.65 due by November 7, 2016. Now plaintiff has submitted a letter (dkt. #6), which I construe as a motion for an order requiring disbursement of \$4.65 from plaintiff's release account to make the initial partial payment of the \$350 filing fee. Plaintiff seeks an order requiring disbursement of \$4.65 from plaintiff's release account because there are not sufficient funds in his general trust account.

Pursuant to 28 U.S.C. § 1915(b)(1), prison officials are required to use a prisoner's release account to satisfy an initial partial payment if no other funds are available. *Carter v. Bennett*, 399 F. Supp. 2d 936, 936-37 (W.D. Wis. 2005).

ORDER

Accordingly, IT IS ORDERED that prison officials are directed to disburse \$4.65 from plaintiff's release account for payment of the initial partial \$350 filing fee. Plaintiff's initial partial filing fee is due by November 29, 2016.

Entered this 8th day of November, 2016.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge